



## UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 11 2007

Commissioner for Patents  
 United States Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 www.uspto.gov

JONDLE & ASSOCIATES P.C.  
 858 HAPPY CANYON ROAD SUITE 230  
 CASTLE ROCK CO 80108

In re Application of :  
 Lawrence K. Pierce :  
 Serial No.: 10/727,913 : PETITION DECISION  
 Filed: December 4, 2003 :  
 Attorney Docket No.: 1434-005 :

This is in response to the renewed petition under 37 CFR § 1.59(b), filed December 4, 2007, to expunge information from the above identified application. This application has now been allowed.

Petitioner requests that the Reply to Request for Information Under 37 CFR 1.105, and all attachments thereto, submitted to the Patent Office on December 5, 2006, be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR § 1.17(g) has been paid.

The reasons set forth in this petition establishes to the satisfaction of the Director that expungement of the information is appropriate. The file entries for those documents have been closed and as such the documents are no longer publicly available, which is the IFW equivalent to removal of a paper document from a paper file wrapper. Also, as stated in M.P.E.P. 724, upon allowance or other action closing prosecution in an application, petition may be made for return of Proprietary information. As this application has been allowed, the information is being returned to applicant.

Therefore, applicant's petition is GRANTED.

Should there be any questions about this decision please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile sent to the general Office facsimile number, 703-872-9306.

Marianne C. Seidel  
 Quality Assurance Specialist/Program Manager  
 Technology Center 1600